

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

VERNALL A. JEFFRIES,	:	CIVIL ACTION NO. 1:09-CV-0692
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
HARLEY G. LAPPIN, et. al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 18th day of February, 2010, upon consideration of plaintiff's motion for appointment of counsel (Doc. 55), as well as his motion for an enlargement of time (Doc. 54) to file a brief in opposition to defendants' motion for summary judgment, it is hereby ORDERED that:

1. Plaintiff's motion for appointment of counsel (Doc. 55) is DENIED for the reasons cited in prior orders of court (Docs. 12, 26).
2. Plaintiff's motion for an enlargement of time (Doc. 54) is GRANTED. Plaintiff shall file a brief in opposition to defendants' motion for summary judgment on or before March 16, 2010.
3. Failure to timely file an opposition brief may result in the granting of the motion or dismissal of this case for failure to prosecute. See FED. R. Civ. P. 41(b) ("If the plaintiff fails to prosecute or to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against it."); Link v. Wabash R.R. Co., 370 U.S. 626, 630-31 (1962) (interpreting Federal Rule of Civil Procedure 41(b) as permitting *sua sponte* dismissals by the court); Poulis v. State Farm Fire & Cas. Co., 747 F.2d 863, 868 (3d Cir. 1984).

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge